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July 13, 2021

**BY ECF**

The Honorable Ronnie Abrams  
United States District Judge  
United States Courthouse  
40 Foley Square, Room 2203  
New York, New York 10007

Re: United States v. Michael Hild, 19 Cr. 602 (RA)

Dear Judge Abrams:

By Order dated May 12, 2021, this Court set a deadline of July 27, 2021, for defendant Michael Hild's post-trial motions. I am writing respectfully to request that the Court grant us leave to file a single combined brief of no more than 50 pages addressing Mr. Hild's motions pursuant to Rules 29 and 33 of the Federal Rules of Criminal Procedure. I have spoken with AUSA Scott Hartman, who informed me that the government consents to this request.

Mr. Hild's trial commenced on April 13 and ended on April 30 when the jury returned a guilty verdict. Mr. Hild expects to move pursuant to Rule 29 for a judgment of acquittal on multiple grounds including that the evidence was insufficient to prove either (i) material misrepresentations, or (ii) Mr. Hild's intent to defraud. In the alternative, Mr. Hild expects to move for a new trial pursuant to Rule 33 on multiple grounds including but not limited to the following: (i) trial counsel was laboring under a serious, unexplored, and un-waived conflict of interest, (ii) trial counsel was ineffective, (iii) the jury's verdict was against the weight of the evidence, (iv) the government elicited improper and highly prejudicial opinion testimony from lay witnesses, and (v) there was an improper constructive amendment of the indictment and prejudicial variance when the government shifted its theory from one grounded in material misrepresentations to one grounded in material omissions.

Application granted.

SO ORDERED.



Ronnie Abrams, U.S.D.J.  
July 13, 2021

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Hon. Ronnie Abrams  
July 13, 2021  
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Developing these arguments has required considerable analysis of the facts presented during Mr. Hild's lengthy trial, including a review of the 2,329-page trial transcript and the numerous trial exhibits. We are sensitive to the need for briefs to be as short as possible, and have worked to pare down Mr. Hild's post-trial motions brief. Nonetheless, it is important that we are able to present fully each of Mr. Hild's arguments in support of each of our motions, and to cut the brief further would risk jettisoning facts and arguments that are indispensable to our positions and that we believe will assist the Court in resolving the issues presented.

I thank the Court for its consideration.

Respectfully submitted,  
/s/  
Brian A. Jacobs

cc: Assistant U.S. Attorneys Jordan Estes and Scott Hartman (by ECF)